

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
America's Toner	)	File No. EB-06-TC-131
	)	
Apparent Liability for Forfeiture	)	NAL/Acct. No. 200932170008
	)	FRN: 0017433186
	)	

**NOTICE OF APPARENT LIABILITY FOR FORFEITURE**

**Adopted: December 9, 2008**

**Released: December 11, 2008**

By the Commission:

**I. INTRODUCTION**

1. In this *Notice of Apparent Liability for Forfeiture* ("NAL")<sup>1</sup>, we find that America's Toner<sup>2</sup> apparently willfully or repeatedly violated section 227 of the Communications Act of 1934, as amended ("Act"), and the Commission's related rules and orders, by delivering at least 219 unsolicited advertisements to the telephone facsimile machines of at least 188 consumers.<sup>3</sup> Based on the facts and circumstances surrounding these apparent violations, we find that America's Toner is apparently liable for a forfeiture in the amount of \$1,040,500.

<sup>1</sup> See 47 U.S.C. § 503(b)(1). The Commission has the authority under this section of the Act to assess a forfeiture against any person who has "willfully or repeatedly failed to comply with any of the provisions of this Act or of any rule, regulation, or order issued by the Commission under this Act ...." See also 47 U.S.C. § 503(b)(5) (stating that the Commission has the authority under this section of the Act to assess a forfeiture penalty against any person who does not hold a license, permit, certificate or other authorization issued by the Commission or an applicant for any of those listed instrumentalities so long as such person (A) is first issued a citation of the violation charged; (B) is given a reasonable opportunity for a personal interview with an official of the Commission, at the field office of the Commission nearest to the person's place of residence; and (C) subsequently engages in conduct of the type described in the citation).

<sup>2</sup> According to publicly available information, America's Toner is also doing business as American Toner and Fiducia, Inc. Therefore, all references in this NAL to "America's Toner" encompass America's Toner as well as American Toner and Fiducia, Inc. America's Toner has offices at 96 Westmoreland Ave., Suite 13, Addison, IL 60101; 87 Eisenhower Ln S, Lombard, IL 60148-5409; 603 Country Club Drive, Bensenville, IL 60106; and 9919 E. 47<sup>th</sup> Place, Tulsa, OK 74146-4731. John David is listed as the contact person for America's Toner. Accordingly, all references in this NAL to "America's Toner" also encompass the foregoing individual and all other principals and officers of this entity, as well as the corporate entity itself.

<sup>3</sup> See 47 U.S.C. § 227(b)(1)(C); 47 C.F.R. § 64.1200(a)(3); see also *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Report and Order and Third Order on Reconsideration*, 21 FCC Rcd 3787 (2006).

## II. BACKGROUND

2. Section 227(b)(1)(C) of the Act makes it “unlawful for any person within the United States, or any person outside the United States if the recipient is within the United States . . . to use any telephone facsimile machine, computer, or other device to send, to a telephone facsimile machine, an unsolicited advertisement.”<sup>4</sup> The term “unsolicited advertisement” is defined in the Act and the Commission’s rules as “any material advertising the commercial availability or quality of any property, goods, or services which is transmitted to any person without that person’s prior express invitation or permission in writing or otherwise.”<sup>5</sup> Under the Commission’s rules, an “established business relationship”<sup>6</sup> exception permits a party to deliver a message to a consumer if the sender has an established business relationship with the recipient *and* the sender obtained the number of the facsimile machine through the voluntary communication by the recipient, directly to the sender, within the context of the established business relationship, or through a directory, advertisement, or a site on the Internet to which the recipient voluntarily agreed to make available its facsimile number for public distribution.<sup>7</sup>

3. On July 21, 2006, in response to one or more consumer complaints alleging that America’s Toner had faxed unsolicited advertisements, the Bureau issued a citation<sup>8</sup> to America’s Toner, pursuant to section 503(b)(5) of the Act.<sup>9</sup> The Bureau cited America’s Toner for using a telephone facsimile machine, computer, or other device, to send unsolicited advertisements for toner and ink cartridges to a telephone facsimile machine, in violation of section 227 of the Act and the Commission’s related rules and orders. The citation warned America’s Toner that subsequent violations could result in the imposition of monetary forfeitures of up to \$11,000 per violation, and included a copy of the consumer complaints that formed the basis of the citation.<sup>10</sup> The citation informed America’s Toner that within 30 days of the date of the citation, it could either request an interview with Commission staff, or could provide a written statement responding to the citation. America’s Toner responded to the citation.<sup>11</sup> Although not requesting an interview, America’s Toner stated that “[a]ny faxes that were received by consumers other than Americas Toner customer [sic] were transmitted in error.”

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<sup>4</sup> 47 U.S.C. § 227(b)(1)(C); 47 C.F.R. § 64.1200(a)(3).

<sup>5</sup> 47 U.S.C. § 227(a)(4); 47 C.F.R. § 64.1200(f)(13).

<sup>6</sup> An “established business relationship” is defined as a prior or existing relationship formed by a voluntary two-way communication “with or without an exchange of consideration, on the basis of an inquiry, application, purchase or transaction by the business or residential subscriber regarding products or services offered by such person or entity, which relationship has not been previously terminated by either party.” 47 C.F.R. § 64.1200(f)(5). *See also* 47 U.S.C. § 227(a)(2).

<sup>7</sup> *See* 47 U.S.C. § 227(b)(1)(C); 47 C.F.R. § 64.1200(a)(3)(i), (ii).

<sup>8</sup> Citation from Kurt A. Schroeder, Deputy Chief, Telecommunications Consumers Division, Enforcement Bureau, File No. EB-06-TC-131, issued to America’s Toner on July 21, 2006.

<sup>9</sup> *See* 47 U.S.C. § 503(b)(5) (authorizing the Commission to issue citations to persons who do not hold a license, permit, certificate or other authorization issued by the Commission or an applicant for any of those listed instrumentalities for violations of the Act or of the Commission’s rules and orders).

<sup>10</sup> Commission staff mailed the citation to these addresses: America’s Toner aka American Toner aka Fiducia, Inc., Attn: John David, 96 Westmoreland Ave., Suite 13, Addison, IL 60601; America’s Toner aka American Toner aka Fiducia, Inc., Attn: John David, 87 Eisenhower Ln S, Lombard IL 60148-5409; and America’s Toner aka American Toner aka Fiducia, Inc., Attn: John David, 603 Country Club Drive, Bensenville, IL 60106. *See* n.2, *supra*.

<sup>11</sup> Letter from John David, America’s Toner, to Kurt A. Schroeder, Deputy Chief, Telecommunications Consumers Division, Enforcement Bureau, dated Aug. 18, 2006.

4. Despite the citation's warning that subsequent violations could result in the imposition of monetary forfeitures, we have received additional consumer complaints indicating that America's Toner continued to engage in such conduct after issuance of the citation.<sup>12</sup> We base our action here specifically on complaints filed by 188 consumers establishing that America's Toner continued to send 219 unsolicited advertisements to telephone facsimile machines after the date of the citation.<sup>13</sup>

5. Section 503(b) of the Act authorizes the Commission to assess a forfeiture for each violation of the Act, or of any rule, regulation, or order issued by the Commission under the Act, by a non-common carrier or other entity not specifically designated in section 503 of the Act. The maximum penalty for such a violation is \$11,000 for a violation occurring before September 2, 2008, and \$16,000 for a violation occurring on or after September 2, 2008.<sup>14</sup> In exercising such authority, we are to take into account "the nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."<sup>15</sup>

### III. DISCUSSION

#### A. Violations of the Commission's Rules Restricting Unsolicited Facsimile Advertisements

6. We find that America's Toner apparently violated section 227 of the Act and the Commission's related rules and orders by using a telephone facsimile machine, computer, or other device to send at least 219 unsolicited advertisements to the 188 consumers identified in the Appendix. This

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<sup>12</sup> See Appendix for a listing of the consumer complaints against America's Toner requesting Commission action.

<sup>13</sup> Following the issuance of this citation, the Commission continued to receive complaints from multiple consumers alleging that America's Toner faxed unsolicited advertisements to them. These complaints, received after the Commission's citation, resulted in the issuance of three Notices of Apparent Liability for Forfeiture against America's Toner: *America's Toner*, Notice of Apparent Liability for Forfeiture, 23 FCC Rcd 5415 (2008) (proposed forfeiture in the amount of \$63,000); *America's Toner*, Notice of Apparent Liability for Forfeiture, 23 FCC Rcd 9151 (EB 2008) (proposed forfeiture in the amount of \$18,000); and *America's Toner*, Notice of Apparent Liability for Forfeiture, FCC 08-199, released August 28, 2008 (proposed forfeiture in the amount of \$63,000). America's Toner filed replies to each of these NALs. See Letter from John David, America's Toner, to Office of Secretary, dated Apr. 12, 2008; Letter from John David, America's Toner, to Kris Anne Monteith, Chief, Enforcement Bureau, dated June 20, 2008; and Letter from John David, America's Toner, to Office of Secretary, dated Sept. 25, 2008. See also Letter from John David, America's Toner, to Enforcement Bureau, Telecommunications Consumer Division, dated July 2, 2008. We note that evidence of additional instances of unlawful conduct by America's Toner may form the basis of subsequent enforcement action.

<sup>14</sup> Section 503(b)(2)(C) provides for forfeitures up to \$10,000 for each violation in cases not covered by subparagraph (A) or (B), which address forfeitures for violations by licensees and common carriers, among others. See 47 U.S.C. § 503(b). In accordance with the inflation adjustment requirements contained in the Debt Collection Improvement Act of 1996, Pub. L. 104-134, Sec. 31001, 110 Stat. 1321, the Commission implemented an increase of the maximum statutory forfeiture under section 503(b)(2)(C) first to \$11,000 and more recently to \$16,000. See 47 C.F.R. § 1.80(b)(3); *Amendment of Section 1.80 of the Commission's Rules and Adjustment of Forfeiture Maxima to Reflect Inflation*, 15 FCC Rcd 18221 (2000) (forfeiture maximum for this type of violator set at \$11,000); *Amendment of Section 1.80(b) of the Commission's Rules and Adjustment of Forfeiture Maxima to Reflect Inflation*, 19 FCC Rcd 10945 (2004) (amendment of section 1.80(b) to reflect inflation left the forfeiture maximum for this type of violator at \$11,000); *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Forfeiture Maxima to Reflect Inflation*, 23 FCC Rcd 9845 (2008) (amendment of section 1.80(b) to reflect inflation increased the forfeiture maximum for this type of violator to \$16,000).

<sup>15</sup> 47 U.S.C. § 503(b)(2)(D); *The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines, Report and Order*, 12 FCC Rcd 17087, 17100-01 para. 27 (1997) (*Forfeiture Policy Statement*), recon. denied, 15 FCC Rcd 303 (1999).

NAL is based on evidence that 188 consumers received unsolicited fax advertisements from America's Toner *after* the Bureau's citation. The facsimile transmissions advertise toner cartridges. Further, according to the complaints, the consumers neither had an established business relationship with America's Toner nor gave America's Toner permission to send the facsimile transmissions.<sup>16</sup> The faxes at issue here therefore fall within the definition of an "unsolicited advertisement."<sup>17</sup> Based on the entire record, including the consumer complaints, we conclude that America's Toner apparently violated section 227 of the Act and the Commission's related rules and orders by sending 219 unsolicited advertisements to 188 consumers' facsimile machines.

## B. Proposed Forfeiture

7. We find that America's Toner is apparently liable for a forfeiture in the amount of \$1,040,500. Although the *Commission's Forfeiture Policy Statement* does not establish a base forfeiture amount for violating the prohibition against using a telephone facsimile machine to send unsolicited advertisements, the Commission has previously considered \$4,500 per unsolicited fax advertisement to be an appropriate base amount.<sup>18</sup> We apply that base amount to each of 209 of the apparent violations. In addition, where the consumer requests the company to stop sending facsimile messages, and the company continues to send them, the Commission has previously considered \$10,000 per unsolicited fax advertisement the appropriate forfeiture for such egregious violations.<sup>19</sup> Here, eight consumers specifically requested that America's Toner cease sending facsimiles. Notwithstanding these requests, an additional ten facsimiles were sent to these consumers. Thus, we apply the \$10,000 amount to each of ten of these apparent violations. Thus, a total forfeiture of \$1,040,500 is proposed. America's Toner will have the opportunity to submit evidence and arguments in response to this NAL to show that no forfeiture should be imposed or that some lesser amount should be assessed.<sup>20</sup>

## IV. CONCLUSION AND ORDERING CLAUSES

8. We have determined that America's Toner apparently violated section 227 of the Act and the Commission's related rules and orders by using a telephone facsimile machine, computer, or other device to send at least 219 unsolicited advertisements to the 188 consumers identified in the Appendix. We have further determined that America's Toner is apparently liable for a forfeiture in the amount of \$1,040,500.

9. Accordingly, IT IS ORDERED, pursuant to section 503(b) of the Act, 47 U.S.C. § 503(b), and section 1.80 of the rules, 47 C.F.R. § 1.80, that America's Toner is hereby NOTIFIED of this APPARENT LIABILITY FOR A FORFEITURE in the amount of \$1,040,500 for willful or repeated violations of section 227(b)(1)(C) of the Communications Act, 47 U.S.C. § 227(b)(1)(C), section

<sup>16</sup> See, e.g., complaint dated December 20, 2007, from Trevor Marvin (stating that he has never done any business with the fax advertiser, never made an inquiry or application to the fax advertiser, never gave permission for the company to send the fax, and requested the company not to fax an advertisement). The complainants involved in this action are listed in the Appendix..

<sup>17</sup> See 47 U.S.C. § 227(a)(4); 47 C.F.R. § 64.1200(f)(13) (definition previously at § 64.1200(f)(10)).

<sup>18</sup> See *Get-Aways, Inc.*, Notice of Apparent Liability For Forfeiture, 15 FCC Rcd 1805 (1999); *Get-Aways, Inc.*, Forfeiture Order, 15 FCC Rcd 4843 (2000); see also *US Notary, Inc.*, Notice of Apparent Liability for Forfeiture, 15 Rcd 16999 (2000); *US Notary, Inc.*, Forfeiture Order, 16 FCC Rcd 18398 (2001); *Tri-Star Marketing, Inc.*, Notice of Apparent Liability For Forfeiture, 15 FCC Rcd 11295 (2000); *Tri-Star Marketing, Inc.*, Forfeiture Order, 15 FCC Rcd 23198 (2000).

<sup>19</sup> See *Carolina Liquidators, Inc.*, Notice of Apparent Liability for Forfeiture, 15 FCC 16837, 16842 (2000); *21<sup>st</sup> Century Fax(es) Ltd., AKA 20<sup>th</sup> Century Fax(es)*, 15 FCC Rcd 24406, 24411 (2000).

<sup>20</sup> See 47 U.S.C. § 503(b)(4)(C); 47 C.F.R. § 1.80(f)(3).

64.1200(a)(3) of the Commission's rules, 47 C.F.R. § 64.1200(a)(3), and the related orders described in the paragraphs above.

10. IT IS FURTHER ORDERED THAT, pursuant to section 1.80 of the Commission's rules,<sup>21</sup> within thirty (30) days of the release date of this *Notice of Apparent Liability for Forfeiture*, America's Toner SHALL PAY the full amount of the proposed forfeiture or SHALL FILE a written statement seeking reduction or cancellation of the proposed forfeiture.

11. Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters "FORF" in block number 24A (payment type code). America's Toner will also send electronic notification on the date said payment is made to Johnny.drake@fcc.gov. Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures.

12. The response, if any, must be mailed both to the Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, SW, Washington, DC 20554, ATTN: Enforcement Bureau – Telecommunications Consumers Division, and to Colleen Heitkamp, Chief, Telecommunications Consumers Division, Enforcement Bureau, Federal Communications Commission, 445 12<sup>th</sup> Street, SW, Washington, DC 20554, and must include the NAL/Acct. No. referenced in the caption.

13. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the petitioner's current financial status. Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted.

14. IT IS FURTHER ORDERED that a copy of this *Notice of Apparent Liability for Forfeiture* shall be sent by Certified Mail Return Receipt Requested and regular mail to America's Toner, aka American Toner, aka Fiducia, Inc., Attention: John David, 96 Westmoreland Ave., Suite 13, Addison, IL 60601; 87 Eisenhower Ln S, Lombard IL 60148-5409; 603 Country Club Drive, Bensenville, IL 60106; and 9919 E. 47<sup>th</sup> Place, Tulsa, OK 74146.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>21</sup> 47 C.F.R. § 1.80.



## APPENDIX

## Complainants and Violation Dates

Complainant received facsimile solicitations	Violation Date(s)
Charlene Gregoroff, Biotouch	12/13/2007
Lionel Roy	12/18/2007, 02/06/2008
Doug Kresge, Kitsap Bank	12/19/2007
Amy Link, Half Price Books	12/19/2007
Stephanie LaBry, Bank of Erath	12/13/2007
John Ley, UT Southwestern Medical Center, Dallas	12/17/2007, 02/27/2008
Mark Kimura, JMO of America, Inc.	01/10/2008
Jan Driessnack, The Hyacinth	12/13/2007
Ed Lohmann	01/14/2008
Chris O'Brien	01/14/2008, 02/26/2008
Brent Swenson, Rhombus, Inc.	01/14/2008
Jane Labanz	01/14/2008
Elliott Delaye	01/14/2008
Zachary Gassoumis, Univ. of Southern California	01/14/2008
James Andrews, Andy's Music Inc.	01/16/2008
Carl Hahn	01/16/2008
Jere Bice	01/15/2008
Rick Russell, Clovis Janitorial Supply, Inc.	01/16/2008
Richard Dziubaniuk, R & R Instrument Company	01/16/2008, 02/28/2008, 04/01/2008
Joe Shields, Lockheed Martin	01/16/2008 (two faxes), 02/26/2008
Mary Watt, CALL Primrose	01/16/2008
Dawn Colwell, Tom Ward Homes, Inc.	01/22/2008
Rocco Pisto	01/22/2008
Todd Thurston, Thurston, Casale & Ryan, LLC	01/15/2008
John Warrick, US Army DPW Real Property Office	01/23/2008, 02/29/2008
Janice Lemak, Leelanau Urgent Care	01/12/2008
Mark Kirschke	01/29/2008
Lance Zee	01/29/2008
Steven Kabbash, Veritech	01/29/2008
David Bergeron, St. Lawrence Place	01/30/2008
Episcopal Church of the Epiphany	01/09/2008
Harry Robinson, Robinson Racing Enterprises, Inc.	01/29/2008
Francis Nash	01/30/2008
Brent Griswold	01/30/2008, 03/07/2008
Crawford Rhodes	01/30/2008
Betty Bishop	01/30/2008, 03/07/2008
Geddy Krul	01/31/2008, 03/07/2008, 03/17/2008
Daniel and Angela Goelzer	01/16/2008
Marlene Phillips	02/04/2008
Raymond Butner	02/04/2008, 03/28/2008
Ken Barasch	02/04/2008, 03/28/2008
Richard LaPrairie, LMI Engineering LLC	02/05/2008
Keith Pollitt	02/05/2008, 03/25/2008
Allen Metner, North Fork Bank	02/05/08
Marguerite Payne, CUNA Mutual Group	01/23/2008
Brian Petro	01/28/2008

Marvin Young	01/29/2008
Stan Blake	02/04/2008
Jayne Culberson, The Lakeside Clinic	01/28/2008
Margo Buchin, Stanford Photonics, Inc.	02/12/2008
Dan Batcheller, Budget U-Stor Mini Storage	02/13/2008
Ben Ringham, The UPS Store	02/13/2008
Ellen Maloney, University of San Francisco	01/31/2008
Thomas McWethy, T & T Tooling	02/13/2008, 03/27/2008
Ralph Baker, The Oxford, Inc.	02/15/2008
James Blond	02/15/2008
Linda Morris, My Music Store	02/19/2008
Jeffrey Simon	02/19/2008
Gerlinde Nattler, Continental Teves, Inc.	02/19/2008
Barry Tregob	02/20/2008
Shirley Barrett, Professional Scoping Services, Inc.	02/20/2008
Paul White	02/20/2008
Brad Levine, W. Wilson Fellowship Foundation	02/21/2008
Patti Maddamma, SME Co., Inc.	02/20/2008
Betsy Grimes, The Grimes Group Agency	02/19/2008
Lisa Talley, Lisa Talley CPS, PA	02/21/2008
Jeffrey Fahey, SunWize Technologies	02/20/2008
Paul Barrett, Mountain Memory Assessment	02/20/2008, 03/27/2008
Deborah Katz	02/22/2008
Shawn O'Leary, Moody's Corporation	02/22/2008
Joseph Fan	02/20/2008
Adrian Halpern, Law Offices of Adrian Halpern	02/20/2008
Melissa Bishop, Stony Brook University	02/22/2008, 03/28/2008
Julie Glenn, Village of Augusta	02/26/2008
Carl Hahn	02/26/2008
Benjamin Benia	02/26/2008
Jimmy Sutton	02/26/2008
Jan Nordmo	02/26/2008
Diane Byrd, Piazza Trading & Co. , Ltd.	02/26/2008
Karl Westberg	02/28/2008
Doug Sherrod	02/27/2008
Hitoshi Sasaki	02/26/2008
Chris Elley	02/27/2008
John Clark	02/27/2008
Jean Fortune, Hy-Tech Construction, Inc.	02/26/2008
Lawrence Little, L & L Enterprises, Associates	02/26/2008
Stuart Yusem	02/27/2008
Felice Bogus, Fil-Chem Inc.	02/27/2008
Ricky Gomez	02/27/2008
Judy McComb	02/27/2008
Linda Moresi	02/27/2008
Kelly Bennette	02/27/2008
Eric Kobayashi	02/27/2008
David Loewenstein	02/26/2008
June-Marie Essner	02/27/2008
Thomas Woodend	02/28/2008

Pam Zumwalt	02/27/2008
Jerry Strekal	02/27/2008
Nanci Lamborn, Southern Insurance	02/28/2008
Daniel Hornstein	02/27/2008
Vicki Ward, Financial Lifestyle Management	02/29/2008
Steve Messuri	02/29/2008
Chris Bottalico, Service Lock & Garage Door Co.	02/29/2008
Jeremy Chavez, JDS Insurance Services	02/13/2008
Mary White, PHRF NW	02/29/2008
Lillian Fraud	02/28/2008
Douglas Bulson	03/03/2008
Kevin Photiades, Pioneer Telephone	03/03/2008
George Ciechanowski, JC Stitch in Time	02/27/2008
Warren Davis, Davis Associates, Inc.	03/04/2008
Judith Haney	03/04/2008
Belinda Wright, Echo Tech Systems, Inc.	02/19/2008
Deborah Jacobs	03/05/2008
Mark Kirschke	03/05/2008
Daniel Malaty, The Malatys Agency	02/13/2008
William Lidman	03/05/2008
David Wisniewski	03/05/2008
Frank Wilson	02/28/2008
Romeo Sanchez, Reliable Real Estate Inspection	02/27/2008
Mark Loewenstein, Loewy Consulting, Inc.	03/06/2008
Brnhard Hedstrom	02/19/2008
Mark Jones, Office of Judge Frank Jordan	03/04/2008
Deborah Morris	03/07/2008
David Kozinn	03/07/2008
Norman Wattenberger	03/10/2008
Emily Shaughnessy, Pavia & Marsh, PC	03/10/2008
Helen Desmond, Ph.D.	03/10/2008
Tom McMullen, Sheet Metal Works, Inc.	03/11/2008
Susan Merrick	03/11/2008
Addie FryeWeaver, Plunkett Research Ltd.	03/12/2008
Robert Hammer, PRN Medical Case Management	03/12/2008
Paul Schrager, Schrager Associates	03/12/2008
Mark Kimura, JMO of America, Inc.	03/12/2008
Shawn Stevens, Stevens Design	03/12/2008, 03/13/2008
John Scrip	03/13/2008
Gary D. Hartman	03/13/2008
Clint Bradford, ATTENTION to Details	03/14/2008
Kenneth Beckwith, EMF Broadcasting	02/28/2008
Carol Herndon	03/17/2008
Patty Sines, Sines Appraisal Service	03/17/2008
Chay Niks, OMNOVA Solutions	03/12/2008
Douglas Neumetzger	03/17/2008
Dennis Tannenbaum	03/12/2008
Terry Grant	03/17/2008
Verlee Amble, Minnesota Tool Group, Inc.	02/20/2008, 03/27/2008
Roy Lewallen	03/18/2008



Scott Bradner	03/12/2008
Daryl Fincher, ACE USA	03/12/2008
Don Simpson	02/27/2008
Wendy Walton, Art Form Architecture, Inc.	03/19/2008
William Faircloth	03/19/2008
Joseph Valente, Sammarval Company LTD.	03/19/2008
William Agosto	03/18/2008
Hermann Durst, W Bar E, Inc.	03/19/2008
Jennifer Gordon	03/14/2008
Anne Wilson, Rape Victim Advocacy Program	03/24/2008
Colin Hageney	02/26/2008
Rona Miller, Pacific Vineyard Company	02/05/2008 (eight faxes)
Connie Hines, Wells Fargo Bank, NA	03/24/2008
Kevin Hall, Stargate Satellite	03/27/2008
Reilly Dillon	03/27/2008
Donald Veit	03/28/2008
Dennis DeDonatis	03/28/2008
Richard LaPrairie, IMI Engineering L.L.C.	03/28/2008
Robert Wallen, M.D.	03/19/2008
Walter Bartus	03/14/2008
Scott Beseda, State Farm Insurance	03/26/2008
Steven Donnell	03/28/2008
Fabian Kausche	03/27/2008
Robert Gates	03/26/2008
Stephen Sartorelli	03/28/2008
Daryl Gerke	03/31/2008
Marisa Munoz-Vourakis	03/27/2008
James McCusker	03/03/2008
Stuart Glenwich	01/30/2008
Jason Merchant	04/02/2008
Vickie Combs, Grove Madsen Industries	02/27/2008
Jim Thorne	02/27/2008
Russell Owen, Univ. of Wash. Astronomy Dept.	02/26/2008
Rosalind Kovacs, Robert T. Plumb, II	02/28/2008
Chester Martin	04/02/2008
Jeff Feyne	04/02/2008

<b>Complainant received facsimile solicitations after requesting no more be sent</b>	<b>Violation Date(s)</b>
Trevor Marvin	12/20/2007, 02/06/2008
Edward Lohmann	02/25/2008, 03/31/2008
Sandi Brenner	02/27/2008
Rick Russell, Clovis Janitorial Supply, Inc.	02/28/2008
Harry Robinson, Robinson Racing Enterprises, Inc.	03/06/2008
Jason Blond	03/25/2008
Linda Collier, Carolina Custom Video LLC	03/27/2008
Donna Flaten, Emergency Management Office	03/20/2008